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15 Attorneys for USACM Liquidating Trust

16 **UNITED STATES BANKRUPTCY COURT
 17 DISTRICT OF NEVADA**

18 In re:

19 USA COMMERCIAL MORTGAGE
 20 COMPANY,

21 USA CAPITAL REALTY ADVISORS,
 22 LLC,

23 USA CAPITAL DIVERSIFIED TRUST
 24 DEED FUND, LLC,

25 USA CAPITAL FIRST TRUST DEED
 26 FUND, LLC,

27 USA SECURITIES, LLC,
 28 Debtors.

29 **Affects:**

30 All Debtors
 31 USA Commercial Mortgage Company
 32 USA Capital Realty Advisors, LLC
 33 USA Capital Diversified Trust Deed Fund, LLC
 34 USA Capital First Trust Deed Fund, LLC
 35 USA Securities, LLC

36 Case No. BK-S-06-10725-LBR
 37 Case No. BK-S-06-10726-LBR
 38 Case No. BK-S-06-10727-LBR
 39 Case No. BK-S-06-10728-LBR
 40 Case No. BK-S-06-10729-LBR

41 **CHAPTER 11**

42 Jointly Administered Under Case No.
 43 BK-S-06-10725 LBR

44 **STIPULATION TO DISALLOW
 45 PROOF OF CLAIM NO. 10725-00968**

46 USACM Liquidating Trust (the "USACM Trust"), by and through its counsel,
 47 Lewis and Roca LLP, and Goold Patterson Ales & Day ("Goold Patterson") on its own
 48 behalf, hereby stipulate:

LEWIS
AND
ROCA
LLP
LAWYERS

1. Goold Patterson filed Proof of Claim No. 10725-00968 on November 3, 2006, in the amount of \$79,372.96 and Proof of Claim No. 10725-00761 on November 9, 2007, also in the amount of \$79,372.96. These Proofs of Claim are identical.

2. By Order dated April 30, 2007, the Hon. Linda B. Riegle reassigned Claim No. 10725-00761 to the Hon. Mike K. Nakagawa [DE 3626] to resolve the USACM Trust's Omnibus Objection to Claims Asserting Administrative Expense Status (the "Objection") [DE 3253] as it pertained to that claim. Claim No. 10725-00968 remains pending before this Court.

3. The USACM Trust and Goold Patterson have agreed that Proof of Claim No. 10725-00968 be disallowed because it is duplicative of Proof of Claim No. 10725-00761.

LEWIS AND ROCA LLP

By: /s/ RC (#6593)

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-and-

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